

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

CLEVELAND EVANS,

Plaintiff,

No. CIV S-04-2151 LKK GGH P

vs.

JEANNE WOODFORD, et al.,

Defendants.

ORDER

On December 21, 2006, the remaining defendant in this prisoner civil rights action, brought pursuant to 42 U.S.C. § 1983, filed a motion for summary judgment. Plaintiff did not file an opposition. Instead, on January 26, 2007, plaintiff filed a “motion to dismiss,” wherein he expressly and explicitly seeks dismissal of his case. On January 30, 2007, defendant filed a statement of non-opposition to plaintiff’s motion, joining plaintiff’s request that the court order dismissal of this action (as an alternative to ruling on defendant’s dispositive motion). All parties having stipulated that this action be dismissed, pursuant to Fed. R. Civ. P. 41(a), the action is dismissed.

Accordingly, the Clerk of Court shall close this case.

DATED: 2/7/07

/s/ Gregory G. Hollows

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GREGORY G. HOLLOWS  
UNITED STATES MAGISTRATE JUDGE